



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

December 18, 2008

To: Supervisor Don Knabe, Chair
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

STATUS REPORT – BOARD MOTION 60-A - SESNON WILDFIRE REPORT

On October 21, 2008, your Board directed the Chief Executive Officer (CEO) to work with County Counsel, the Fire Department (Fire), and the Department of Public Works (DPW) to perform the following:

- Draft a fire code amendment regarding power pole clearance dimensions and inspection frequency with fees to cover costs.
- Draft a letter to the California Public Utilities Commission (CPUC) to request the completion and publicize the CPUC's investigation of the 2007 Malibu Canyon Fire.
- Report to the Board on the outcome of the petition seeking a rulemaking regarding disaster preparedness and management of overhead powerlines filed by San Diego Gas and Electric Company following the 2007 fires.

Since the issuance of Board motion 60-A, the CEO, County Counsel, Fire, and DPW have completed and submitted a formal letter to the CPUC to request the publication of the 2007 Malibu Canyon Fire investigation (Attachment I). County Counsel, DPW, and CEO have also submitted a report to your Board addressing the petition filed by the San Diego Gas and Electric Company following the 2007 fires (Attachment II). However, in order to properly review and address the

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

Each Supervisor
December 18, 2008
Page 2

remaining action item, we are requesting an extension of January 21, 2009, to submit our report back to your Board.

Should you have any questions please do not hesitate to contact Deputy Chief Executive Officer R. Doyle Campbell, Public Safety, at (213) 893-2374 or Deputy Chief Executive Officer Lari Sheehan, Community and Municipal Services, at (213) 893-2477.

WTF:SRH:RDC
LS:DC:dc/llm

Attachments

c: Executive Officer, Board of Supervisors
County Counsel
Fire Department
Department of Public Works



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

November 14, 2008

Mr. Richard W. Clark
Director of the Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Mr. Clark:

2007 MALIBU CANYON FIRE CALIFORNIA PUBLIC UTILITIES COMMISSION COMPLETION AND RELEASE OF THE INVESTIGATION AND REPORT

On October 21, 2008, the County of Los Angeles Board of Supervisors (Board of Supervisors) approved a motion by Supervisors Yaroslavsky and Antonovich requesting the California Public Utilities Commission (CPUC) to expeditiously complete and make public its investigation into the 2007 Malibu Canyon Fire. Mr. Steve Dunn from the County of Los Angeles Department of Public Works has been in communication with you during the past year on this and related issues. I am sending this request to secure the expeditious public release of the CPUC report on the 2007 Malibu Canyon Fire. Since your initial comments in the *Los Angeles Times* on November 4, 2007, regarding the 2007 Southern California Fires and your investigation to determine what, if anything, could have been done to avoid the power line failures that may have caused these fires, the County of Los Angeles has experienced similar devastating fires this year.

As the regulating agency over utility companies, we and our constituents look to the CPUC for the direction and rulemaking policies that will provide for the prevention of such fires in the future. We look to the CPUC to furnish a complete investigation of the fire with recommendations on ways to lessen the potential for fires that could be caused by downed power lines and poles. This type of investigation falls within your Commission's authority as the regulatory body over utility companies to ascertain if new rules or modifications to existing ones are warranted.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Mr. Richard W. Clark
November 14, 2008
Page 2

The Board of Supervisors and the residents of Los Angeles County look forward to the expeditious completion and public release of your 2007 Malibu Canyon Fire report. We want to work with your Commission and utility companies in an effort to help prevent future fires. Please provide the tentative release date for this report at your earliest convenience.

If you have any questions regarding this request to expedite completion of your investigation of the 2007 Malibu Canyon Fire, please contact Mr. Dunn at sdunn@dpw.lacounty.gov or (626) 458-3168.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:LS
JTS:sc

c: P. Michael Freeman, Fire Chief
Dean D. Efsthathiou, Acting Director of Public Works
Bruce W. McClendon, Director of Regional Planning



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

November 26, 2008

To: Supervisor Yvonne B. Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Raymond G. Fortner, Jr.
County Counsel

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

REPORT ON COUNTY FILING A PETITION FOR RULEMAKING WITH THE CALIFORNIA PUBLIC UTILITIES COMMISSION REGARDING RULES FOR OVERHEAD POWER LINES

On October 21, 2008, your Board directed the County Counsel and the Chief Executive Office (CEO) to report back within 30 days on whether it would be appropriate for the County to file a petition with the California Public Utilities Commission (CPUC) seeking a rulemaking regarding disaster preparedness and management of overhead power lines. As discussed below, our offices recommend that the County participate in the CPUC's recently ordered rulemaking on these issues rather than file a separate petition with the CPUC.

On November 6, 2008, the CPUC unanimously adopted an Order Instituting Rulemaking (OIR) to consider revising and clarifying the CPUC's regulations designed to protect the public from potential hazards, including fires, which may be caused from electric utility transmission or distribution lines, or communications infrastructure providers' facilities in proximity to electric overhead transmission or distribution lines. The OIR proceeding will enable the CPUC to review current safety requirements and to consider possible rule changes that may further reduce the hazards, particularly fire hazards, associated with the electric transmission and distribution facilities and communications facilities that are operated by investor-owned electric utilities and communication facility providers.

Pursuant to the CPUC's rules, the County can actively participate in this OIR as a party by submitting comments and participating in meetings and workshops. The County can raise its concerns and suggested rule changes with the CPUC as they relate to overhead transmission lines operated by investor-owned electric utilities or communications infrastructure providers' facilities in proximity to such lines by participating as a party in the OIR. Pursuant to the

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

Each Supervisor
November 26, 2008
Page 2

CPUC's OIR, comments from persons or entities wishing to become parties to the proceedings are due on December 3, 2008. Workshops are tentatively schedule for January 14-15, 2009. The CPUC will then propose new rules or revisions to existing rules, and the County and other interested parties will have an opportunity to comment on those proposed rules.

In light of the CPUC approving this OIR, we recommend that the County participate as a party in the CPUC's OIR rather than filing a separate petition for rulemaking. The CEO and County Counsel will coordinate the filing of the County's comments and the County's participation in the OIR. We believe that the County's attempt to file its own petition for rulemaking on the same topic at this point would likely be denied by the CPUC, as it would be duplicative of the rulemaking it has already ordered and the County can participate in the current proceeding in the same manner as if it had been the original petitioner. We will keep your Board advised of the CPUC proceedings.

The Sesnon Fire was allegedly caused by a power line owned by the Gas Company that existed exclusively on Gas Company property and was serving only Gas Company equipment. Accordingly, although the CPUC does regulate investor-owned public utilities such as the Gas Company, the CPUC does not currently regulate this Gas Company power line apart from a general obligation that all utilities be operated in a safe manner. The CPUC staff have informed County Counsel that the CPUC OIR will not address regulation of power lines that are not dedicated to public use.

The California Public Utilities Commission staff have indicated to County Counsel that, in their opinion, the County is able to regulate privately-owned power lines that are not dedicated to public use in the unincorporated area of the County. Accordingly, in compliance with the companion portion of your October 21, 2008, adopted motion, we will be exploring possible amendments to the County Fire Code, or other appropriate regulations, and will report back to your Board.

If you have questions concerning this matter, please contact Assistant County Counsel, Richard D. Weiss, at (213) 974-1924 or Senior Deputy County Counsel, Scott Kuhn, at (213) 974-1852.

WTF:LS:os
RGF:SK:gh

c: Executive Officer, Board of Supervisors
Fire Chief
Acting Director of Public Works